

REMARKS

Claims 1-34 are now pending in the application. Applicants' herein confirm election of claims 1-13 and 24-29. Claims 14-23 are withdrawn. Claims 7, 8, 9, 24, and 27 are amended. Claims 30-34 are added. Support for the amendments and additions can be found in the originally filed specification at Figures 1-3 and related discussion at paragraphs [0069]-[0073]. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 101

Claims 27-29 are rejected under 35 U.S.C. § 101. This rejection is respectfully traversed.

Applicants have amended claim 24 to recite that the electronic coupon has redemption information and that the computer memory resides in a handheld device that provides the redemption information to a cash register by data communication. As there is an output of data, Applicants respectfully submit that Claim 27 recites patentable subject matter.

Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 27 under 35 U.S.C. § 101, along with rejection on these grounds of all claims dependent therefrom.

REJECTION UNDER 35 U.S.C. § 112

Claim 24 is rejected under 35 U.S.C. § 112. This rejection is respectfully traversed.

Applicants have amended claim 24 to resolve the antecedent basis issue for the phrase "variable expiration terms."

Accordingly, Applicants respectfully request withdrawal of the rejection of claim 24 under 35 U.S.C. § 112.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-13 and 24-29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mittal (U.S. Pub. No. 2003/0154125). This rejection is respectfully traversed.

The Examiner relies on Mittal to teach an electronic coupon with varying conditions for redemption that users can receive while browsing the web. These coupons can be used to make online purchases or printed for use at a retail location. Cashiers can verify whether some of the conditions are met by inspecting the printed coupon. Mittal does not teach that an adaptive electronic coupon is received by and stored in memory of a handheld device that is then transported to a retail store and used to supply redemption information to a cash register by data communication.

Applicants' claimed invention, especially as amended, is directed to adaptive electronic coupon distribution and redemption. In particular, the independent claims recite subject matter in which an adaptive electronic coupon is received by and stored in memory of a handheld device that is then transported to a retail store by a user of the device and employed by the user to supply redemption information to a cash register by data communication with the cash register. Support for the amendments can be found in the originally filed specification at Figures 1-3 and related discussion at paragraphs [0069]-[0073]. Therefore, Mittal does not teach, suggest, or motivate all of the limitations of the independent claims.

Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 1-13 and 24-29 under 35 U.S.C. § 103(a). Applicants respectfully note that new claims 30-34 are dependent from claim 1 and should be allowed for the same reasons.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: Jan 22, 2008

By: Greg Stobbs
Gregory A. Stobbs
Reg. No. 28,764

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

[GAS/JSB/kp]